

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of.: Breitenbach, A. & Wolff, H.-M.
Serial No.: **10/630,633**
Filed: July 29, 2003
Title: HOT-MELT TTS FOR ADMINISTERING ROTIGOTINE
Group Art Unit: 1615
Examiner: Tran, S.T.
Confirmation No.: 9056
Docket No.: **6102-000068/US**
Client Ref.: P/Brt/I/5/02

SUBMITTED ELECTRONICALLY VIA EFS-WEB

April 3, 2008

Commissioner for Patents
Office of Initial Patent Examination
Filing Receipt Corrections
P.O. Box 1450
Alexandria, Virginia 22313-1450
Fax: 703-746-9195

Sir:

REQUEST FOR CORRECTION OF FILING DATE

Applicant hereby requests correction of the file record in the above-referenced application of the filing date to reflect the true filing date as July 29, 2003. An updated filing receipt received by applicant, a marked-up copy of which is attached hereto, incorrectly shows a filing date of February 6, 2004. No fee is believed payable in connection with this request; however, if a fee should be found payable, authorization is hereby given to charge such fee to Deposit Account No. 08-0750.

The incorrect updated filing receipt was mailed to Applicant's former attorney/agent on April 8, 2004. The error has only recently come to the attention of Applicant's present agent (the undersigned) while preparing a response to an Office Action, and the delay in bringing the error to the Office's attention was unintentional and without deceptive intent.

In support of the present request, the following facts are respectfully brought to the

Serial No. 10/630,633
6102-000068/US
Request for correction of filing date
April 3, 2008

Office's attention:

- (1) The nonprovisional application captioned above was filed on July 29, 2003, in the German language. A filing receipt was mailed on December 4, 2003 (copy attached hereto), correctly showing a filing date of July 29, 2003.
- (2) Further acknowledging July 29, 2003 as the filing date (see "Filing Date Granted" in the picture below), the Office issued on December 4, 2003 a Notice to File Missing Parts, setting a two-month period to file all required items.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/630,633	07/29/2003	Armin Breitenbach	58723 (46701)

21874
EDWARDS & ANGELL, LLP
P.O. BOX 9169
BOSTON, MA 02209

CONFIRMATION NO. 9056
FORMALITIES LETTER

0000000011418255

Date Mailed: 12/04/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- (3) In reply, Applicant on February 4, 2004 timely submitted papers in completion of the filing requirements, including an English translation with an appropriate fee. A certificate of mailing on the first page of Applicant's submission signed by Maria T. Reen shows that the submitted documents were deposited with USPS as First Class Mail on February 4, 2004.
- (4) None of the submitted documents was "for the purpose of obtaining a filing date" under 37 C.F.R. §1.8(a)(2)(i)(A) or constituted any other exception under 37 C.F.R. §1.8(a)(2) to the "timely filed" rule set forth in C.F.R. §1.8(a). All items noted in the Notice to File Missing Parts were included, viz.:

oath or declaration;
English-language translation of non-English-language papers as originally filed;
statement of accuracy of translation;
relacement drawings (included in translation);
filing fee;
surcharge fee for late filing of oath or declaration; and
fee for processing application filed with non-English-language specification.

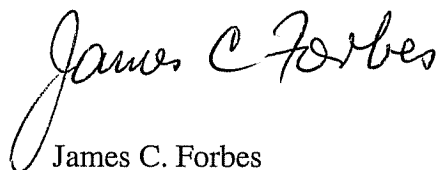
- (5) The Office received Applicant's reply on February 6, 2004 (as shown by the OIPE date stamp thereon).
- (6) An updated Filing Receipt (marked up copy attached hereto) was mailed on April 8, 2004 according a new filing date of February 6, 2004, which was the date of receipt by the Office of a timely filed reply to a Notice to File Missing Parts, not the date of filing of documents required to establish a filing date.

As evidenced above, all requirements to establish a filing date were filed by Applicant on July 29, 2003, and the Office originally accorded, correctly, a filing date of July 29, 2003. As further evidenced above, Applicant's reply to the Notice to File Missing Parts was complete and was timely filed on February 4, 2004.

Applicant accordingly requests correction of the file record, including issuance of a corrected filing receipt, to show a filing date of July 29, 2003.

Respectfully submitted,

HARNESS, DICKY & PIERCE, P.L.C.



James C. Forbes
Agent for Applicant
Reg. No. 39,457
Tel. 847-412-6350

Attachments

Copy of original Filing Receipt mailed December 4, 2003

Copy of updated Filing Receipt mailed April 8, 2004 (marked up)

SMD



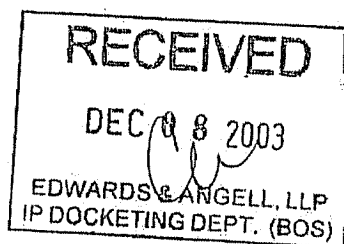
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/630,633	07/29/2003		0.00	58723 (46701)	14	1	1

CONFIRMATION NO. 9056

21874
EDWARDS & ANGELL, LLP
P.O. BOX 9169
BOSTON, MA 02209



FILING RECEIPT



OC000000011418255

Date Mailed: 12/04/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Armin Breitenbach, Residence Not Provided;
Hans-Michael Wolff, Residence Not Provided;

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/453,498 03/11/2003

Foreign Applications

GERMANY DE 102 34 673 07/30/2002

If Required, Foreign Filing License Granted: 12/03/2003

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Unknown

Preliminary Class

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

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NOT GRANTED

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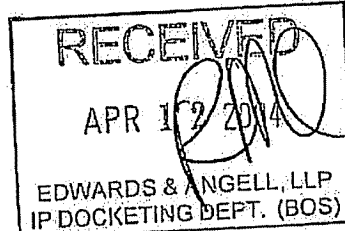


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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/630,633	02/06/2004 07/29/2003	1615	1410	58723 (46701)	14	23	2

21874
 EDWARDS & ANGELL, LLP
 P.O. BOX 55874
 BOSTON, MA 02205



NOTED ON SYSTEM

CONFIRMATION NO. 9056

UPDATED FILING RECEIPT



OC000000012306145

Date Mailed: 04/08/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Armin Breitenbach, Monheim, GERMANY;
 Hans-Michael Wolff, Monheim, GERMANY;

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/453,498 03/11/2003

Foreign Applications

GERMANY DE 102 34 673 07/30/2002

If Required, Foreign Filing License Granted: 12/03/2003

Projected Publication Date: 07/15/2004

Non-Publication Request: No

Early Publication Request: No

Title

Hot-melt TTS for administering Rotigotine

Preliminary Class

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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